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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/812,997

03/31/2004

Anders Hanson

150-153

5230

7590

03/20/2007

Steven S. Payne
8027 ILIFF Drive
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EXAMINER

LEE, LAURA MICHELLE

ART UNIT

PAPER NUMBER

3724

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

03/20/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

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Office Action Summary	Application No.	Applicant(s)	
	10/812,997	HANSON, ANDERS	
	Examiner	Art Unit	
	Laura M. Lee	3724	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 January 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. In this office action, claims 1-7 stand pending, claims 8-20 have been cancelled, and claims 1, 2, 4, and 7 have been amended.

Response to Arguments

2. Applicant's arguments filed 1/08/2007 have been fully considered but they are not persuasive. The applicant contends that in the Domenico reference (U.S. Patent 5,829,321), that the base arm (14) is not angled in relation to a longitudinal direction of the handle (12). However, this is not persuasive, as even if it was argued that the base arm and handle are zero-degrees to each other; zero degrees is still a measure of an angle. Additionally, the inner portion of the base arm (14) is at a substantial angle to the handle, (12), which extends along the longitudinal direction of the base arm. The applicant further contends that the Phillips reference (U.S. Patent 3,673,687), does not disclose two cutting elements, as curved portion, 45 and straight portion, 46, are both apart of the singular cutting edge 44. However, this is also not found persuasive, as both the curved portion, 45, and the straight portion, 46, are both cutting edges and are therefore, both cutting elements.

Drawings

3. The drawings were received on 1/05/2007. These drawings are acceptable.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Domenico (U.S. Patent 5,829,321). Domenico discloses a safety knife (10) for cutting lines or straps comprising a handle (12), a base arm (14), an extension arm (16), and a cutting device (50/52), wherein said extension arm (16) curves from said base arm (14), establish an opening (18) between said base arm (14) and said extension arm (16), wherein said cutting device (50/52) is arranged in said opening (18), and wherein the a longitudinal direction of the base arm (14) is angled in relation to a longitudinal direction of the handle.

In regards to claim 2, Domenico discloses wherein said cutting arrangement comprises two cutting elements (50/52) arranged in said opening (18) between said base arm (14) and said extension arm (16), and wherein said two cutting elements (50/52) form substantially a V-shape (Figure 1).

In regards to claim 3, Domenico discloses wherein said handle (12) comprises at least one aperture (T-shaped opening; shown in Figure 1- not numbered) for holding said safety knife (10). The safety knife could be held to the wall with a nail protruding through the aperture. The claim does not limit the capability of the aperture to being used by hand to hold the safety knife.

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In regards to claim 4, Domenico discloses wherein said handle comprises an aperture (T-shaped opening; shown in Figure 1- not numbered) capable of being used for attaching a strap for holding said safety knife.

In regards to claim 5, Domenico discloses wherein said handle (12) comprises at least one projection (the handle bump, located at the bottom right of Figure 1, across from reference 12) for holding said safety knife.

6. Claim 7 is rejected under 35 U.S.C. 102(b) as being anticipated by Phillips et al. (U.S. Patent 3,673,687), herein referred to as Phillips. Phillips discloses a safety knife (10) for cutting lines or straps comprising a handle (12), a base arm (17), an extension arm (20), and a cutting device (38), wherein said extension arm (20) curves from said base arm (17) to establish an opening (see Figure 1) between said base arm (17) and said extension arm (20), wherein said cutting device (38) is arranged in said opening and wherein the base arm (17) is angled in relation to a longitudinal direction of the handle (12), said cutting arrangement comprises two cutting elements (curved portion, 45 and straight portion, 46) arranged in said opening between said base arm (17) and said extension arm (20), wherein said two cutting elements form substantially a V-shape (Figure 1), wherein said handle (12) comprises at least one aperture for holding said safety knife (14), said handle (12) further comprising an aperture (15) for attaching a strap for holding the safety knife, and wherein said handle (12) comprises at least one projection (Handle grips, not numbered shown in Figure 1) for holding said safety knife.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Domenico in view of Crawford (U.S. Patent 6,640,445). Domenico discloses the claimed invention except that the safety knife further comprises a float that is incorporated in or attached to the handle. However, attention is directed to the Crawford device that discloses a buoyant knife with a float (foam) that covers the outer surface of the handle to provide sufficient buoyancy such as to allow the entire knife to float when dropped or placed in water (abstract). It would have been obvious to one having ordinary skill in the art at the time of the invention to have modified the handle of Domenico as taught by Crawford to incorporate a foam float so that the knife would float if dropped in water.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura M. Lee whose telephone number is (571) 272-8339. The examiner can normally be reached on Monday through Friday, 8:00am to 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boyer Ashley can be reached on (571) 272-4502. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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LML

3/15/2007



BOYER D. ASHLEY
SUPERVISORY PATENT EXAMINER